

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 125

January 31, 2011

SUMMARY OF BILL: Authorizes the use of discovery, including the right to depose the petitioner, in orders of protection proceedings. Requires the deposition, which may be limited to one hour in the court's discretion, to be conducted via telephone by an attorney licensed in Tennessee. Prohibits disclosure of the deponent's residence.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Authorizing discovery in order of protection proceedings may result in a not significant increase in the court's caseload due to resulting discovery-related motions such as motions to compel and motions for contempt.
- Discovery in order of protection proceedings may delay the court's eventual ruling on whether an order of protection should be extended.
- Any cost attributable to the extension of discovery to order of protection proceedings can be accommodated within existing judicial resources without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White". The signature is fluid and cursive.

James W. White, Executive Director

/lsc